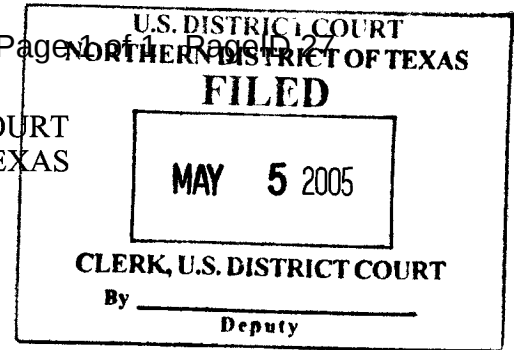


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



ANTONIO J. ASCENCIO,

Petitioner,

v.

DOUGLAS DRETKE, Director,
Texas Department of Criminal
Justice, Institutional Division,

Respondent.

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2:02-CV-0266

**ORDER ADOPTING REPORT AND RECOMMENDATION and
DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS**

Petitioner ANTONIO J. ASCENCIO has filed a petition for a writ of habeas corpus wherein he challenges the result of a state prison disciplinary proceeding. On April 15, 2005, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that petitioner's habeas application be dismissed. As of this date, petitioner has not filed any objections to the Report and Recommendation.

The undersigned United States District Judge has made an independent examination of the record in this case. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus filed by petitioner is DISMISSED.

IT IS SO ORDERED.

ENTERED this 5th day of May 2005.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE